

FEB 21 2007

JOHN F. CORCORAN, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

NATASHA MARIE MARKLE,
Petitioner,) Civil Action No. 7:06CV00438
)
)
v.) FINAL ORDER
)
)
UNITED STATES OF AMERICA,) By: Hon. Glen E. Conrad
Respondent.) United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is hereby

ORDERED

as follows:

1. Petitioner's motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255
is **GRANTED** as to petitioner's claim that her attorney was constitutionally
ineffective for failing to file a notice of appeal;
2. All other claims are **DISMISSED** as moot;
3. The Clerk shall prepare a new judgment in Criminal Action No. 5:04CR00025,
the same in every respect as the original judgment except as to date of entry;
4. Upon entry of the new judgment, the original judgment shall be **VACATED**;
5. Petitioner shall have ten days from the entry of the new judgment to file a notice
of appeal or request the Clerk to file a notice of appeal on her behalf; and
6. This action shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to file a copy of this order and the accompanying memorandum
opinion in Criminal Action No. 5:04CR00025. The Clerk is further directed to send certified

copies of this order and the accompanying memorandum opinion to the petitioner, counsel of record for the respondent, and petitioner's defense counsel in the criminal action.

ENTER: This 20 day of February, 2007.



United States District Judge